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FIDELITY NATIONAL TITLE INSURANCE COMPANY,
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ALLY BANK, WESLEY W. HALIHAN, GINA L. HALIHAN,
DAWN R. CARIFI, BRIAN PHUONG, CRICHTON FRIEDLY,
JANET N. FRIEDLY, CHICAGO TITLE INSURANCE COMPANY,
JULIAN MASSA and ALISON MASSA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

FIDELITY NATIONAL TITLE
INSURANCE COMPANY,

Plaintiffs,

vs.

JAMES C. CASTLE aka J.
CHRISTOPHER CASTLE, individually
and as Trustee of the J. Christopher Castle
Irrevocable Trust, et al.,

Defendants.

No. C-11-00896 -YGR

**WRITTEN RESPONSE OF BRUCE A.
McINTOSH TO ORDER TO SHOW
CAUSE RE FAILURE TO COMPLY WITH
THE COURT'S ORDER DATED
OCTOBER 22, 1012**

Date: December 7, 2012

Time: 9:01 a.m.

Judge: Hon. Yvonne Gonzalez Rogers

At the case management conference on October 22, 2012, the Court issued two compliance items: (1) for Plaintiffs, and Defendants represented by Mr. LaLanne, to meet and confer and file a stipulation acknowledging that the action is stayed as to certain defendants due to bankruptcy filings; and (2) for Plaintiffs to provide an update on the status of service of process.

The compliance date for item (1) was November 9, 2012, and Plaintiffs and Mr. LaLanne met and conferred and filed with the Court on or about November 9, 2012, the

1 requested stipulation.

2 It was my understanding that the compliance date for Plaintiffs to provide the updated
3 status of service was November 16, 2012. So that the report would be accurate and up-to-
4 date, I waited until November 15, 2012 to file (Docket No. 304). It was my understanding
5 that as long as the report was on file prior to the compliance date (which I believed, albeit
6 perhaps incorrectly, was November 16, 2012), that no appearance was required.

7 Dated: November 16, 2012

BERGQUIST WOOD McINTOSH SETO ^{LLP}

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9 /s/ Bruce A. McIntosh

10 **BRUCE A. McINTOSH**
11 **Attorneys for Plaintiffs**

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